



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RQ-2

August 7, 2014

VINCENT DEVITO, TREASURER  
BLAKEMAN 2014 INC.  
108 SOUTH FRANKLIN AVE SUITE 1  
VALLEY STREAM, NY 11580

**Response Due Date**  
**09/11/2014**

IDENTIFICATION NUMBER: C00558189

REFERENCE: AMENDED JULY QUARTERLY REPORT (06/05/2014 - 06/30/2014),  
RECEIVED 07/17/2014

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **Failure to adequately respond by the response date noted above could result in an audit or enforcement action.** Additional information is needed for the following 5 item(s):

1. Schedule A of your report discloses one or more contributions that appear to exceed the limits set forth in the Act (see attached).

An individual or a political committee other than an authorized committee or qualified multi-candidate committee may not make a contribution(s) to a candidate for federal office in excess of \$2,600 per election. An authorized committee may not make a contribution(s) to a candidate for federal office in excess of \$2,000 per election. A qualified multi-candidate committee and all affiliated committees may not make a contribution(s) to a candidate for federal office in excess of \$5,000 per election. The term "contribution" includes any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for federal office. (2 U.S.C. § 441a(a) and (f); 11 CFR § 110.1(b), (e) and (k))

If any apparently excessive contribution in question was incompletely or incorrectly disclosed, you must amend your original report with the clarifying information. If any contribution you received exceeds the limits, you may have to refund the excessive amount.

Excessive contributions may be retained if, within 60 days of receipt, the excessive portions are properly redesignated or reattributed. Guidelines for

BLAKEMAN 2014 INC.

Page 2 of 6

each option are provided below.

For reattributions, excessive contributions from individuals can be retained if, within 60 days of receipt, the excessive amount is properly reattributed to another person. Please note that reattributions only apply to excessive contributions from individuals. An excessive contribution is considered properly reattributed if (1) the contributors provide the committee with written documentation, signed by each contributor, authorizing a reattribution and indicating the amount of the contribution to be attributed to each contributor; or (2) the committee reattributes by presumption the excessive portion of the contribution if the contribution was made on a written instrument from a joint account and was signed by only one of the account holders. In this case, the treasurer must notify the contributors in writing within 60 days of receiving the contribution that the committee intends to reattribute the excessive portion and must give the contributor an opportunity to request a refund. (11 CFR § 110.1(k)(3)(ii)(B))

For redesignations, the funds can be retained if, within 60 days of receipt, the excessive amount is properly redesignated for a different election. An excessive contribution is considered properly redesignated if (1) the committee obtains signed written documentation from the contributor(s) authorizing the redesignation of the contribution for another election, provided that the new designation does not exceed the limitations on contributions made with respect to that election; or (2) your committee redesignates by presumption the excessive portion of the contribution for another election provided that the new designation does not exceed the limitations on contributions made with respect to that election. In this case, the treasurer must notify the contributor of the redesignation in writing within 60 days of the treasurer's receipt of the contribution. The notification must give the contributor an opportunity to request a refund. (11 CFR § 110.1(b)(5)(ii)(B)) Please note that you cannot presumptively redesignate an excessive contribution from a multi-candidate committee. Also, a contribution can only be redesignated to a previous election to the extent that the contribution does not exceed the committee's net debts outstanding for that election. (11 CFR § 110.1(b)(3)(i))

If the foregoing conditions for reattributions or redesignations are not met within 60 days of receipt of the contribution, the excessive amount must be refunded. See 11 CFR § 103.3(b)(1).

If you have not already done so, please inform the Commission of your

BLAKEMAN 2014 INC.

Page 3 of 6

corrective action immediately in writing and provide photocopies of any refund checks and/or letters reattributing or redesignating the contributions in question. Refunds are reported on Line 20(a), (b), or (c), as applicable, of the Detailed Summary Page and on a supporting Schedule B of the report covering the period in which they are made. Redesignations and reattributions are reported as memo entries on Schedule A of the report covering the period in which the authorization for the redesignation and/or reattribution is received. (11 CFR § 104.8(d)(2), (3) and (4))

Although the Commission may take further legal action concerning the acceptance of excessive contributions, your prompt action to refund, redesignate, and/or reattribute the excessive amount will be taken into consideration.

**2.** Schedule A of your report discloses one or more contributions that appear to be from a corporation(s) and/or labor organization(s) (see attached). 2 U.S.C. § 441b(a) and 11 CFR § 103.3(b) prohibit the receipt of contributions from corporations and labor organizations unless made from separate segregated funds established by the corporations and labor organizations.

If any apparently prohibited contribution in question was incompletely or incorrectly disclosed, you must amend your original report with clarifying information.

If you have received prohibited contributions, you must make a refund within 30 days of the treasurer becoming aware of the illegality of the contribution. (11 CFR § 103.3(b)(1) and (2))

If you have not already done so, please inform the Commission of your corrective action immediately in writing and provide a photocopy of any refund checks. Refunds must be reported on a Schedule B supporting Line 20(a) of the report covering the period in which the refund is made. (11 CFR § 104.8(d)(4))

Although the Commission may take further legal action concerning the acceptance of prohibited contributions, your prompt action to refund the prohibited amount will be taken into consideration.

**3.** Your report fails to provide proper election designations for contributions disclosed on Schedule A supporting Line 11(a)(i). Authorized committees should indicate the election for which the contribution was designated. If no election is designated, the contribution is applied to the next election for the

BLAKEMAN 2014 INC.

Page 4 of 6

federal office the candidate is seeking after the contribution date. Please be advised that incorrect election designations may result in excessive or impermissible contributions. Please amend your report to clarify the following election designation: "P2015." (11 CFR §§ 110.1(b) and 110.2(b))

4. Schedule A of your report indicates that your committee may have failed to file one or more of the required 48-hour notices regarding "last minute" contributions received by your committee after the close of books for the 12 Day Pre-Primary Report (see attached). A principal campaign committee must notify the Commission, in writing, within 48 hours of any contribution of \$1,000 or more received between two and twenty days before an election. These contributions are then reported on the next report required to be filed by the committee. To ensure that the Commission is notified of last minute contributions of \$1,000 or more to your campaign, it is recommended that you review your procedures for checking contributions received during the aforementioned time period. The failure to file 48-hour notices may result in civil money penalties or legal enforcement action. (11 CFR § 104.5(f))

If any contribution of \$1,000 or more was incorrectly reported, you must amend your original report with the clarifying information.

5. Commission Regulations require that a committee discloses the identification of all individuals who contribute in excess of \$200 in an election cycle. (11 CFR § 104.3(a)(4)(i)) Identification for an individual is defined as the full name (initials for first or last name are not acceptable), complete mailing address, occupation, and name of employer. (11 CFR § 100.12)

Also, please be advised that contributions from partnerships should be attributed to each member in direct proportion to his or her share of the organization's profit or by agreement of its members. Each person who has contributed in excess of \$200 since 11/7/12 should be identified by name, address, occupation, name of employer, amount of contribution, and aggregate total as a memo entry on Schedule A. (11 CFR §110.1(e) and (g))

Your report discloses contributions from individuals for which the identification is not complete. **Please see the attached for a list of employer and occupation entries appearing on your report which are not considered acceptable.**

You must provide the missing information, or if you are unable to do so, you must demonstrate that "best efforts" have been used to obtain the information.

BLAKEMAN 2014 INC.

Page 5 of 6

To establish "best efforts," you must provide the Commission with a detailed description of your procedures for requesting the information. Establishing "best efforts" is a three-fold process.

First, your original solicitation must include a clear and conspicuous request for the contributor information and must inform the contributor of the requirements of federal law for the reporting of such information. (11 CFR § 104.7(b)(1)) See 11 CFR § 104.7(b)(1)(B) for examples of acceptable statements regarding the requirements of federal law.

Second, if the information is not provided, you must make one follow-up, stand alone effort to obtain this information, regardless of whether the contribution(s) was solicited or not. This effort must occur no later than 30 days after receipt of the contribution and may be in the form of a written request or an oral request documented in writing. (11 CFR § 104.7(b)(2)) The requests must:

- clearly ask for the missing information, without soliciting a contribution;
- inform the contributor of the requirements of federal law for the reporting of such information, and
- if the request is written, include a pre-addressed post card or return envelope.

Third, if you receive contributor information after the contribution(s) has been reported, you should either a) file with your next regularly scheduled report, an amended memo Schedule A listing all the contributions for which additional information was received; or b) file on or before your next regularly scheduled reporting date, amendments to the report(s) originally disclosing the contribution(s). (11 CFR § 104.7(b)(4))

Please amend your report to provide the missing information or a detailed description of your procedures for requesting the information. For more information on demonstrating "best efforts," please refer to the Campaign Guide.

**Please note, you will not receive an additional notice from the Commission on this matter.** Adequate responses must be received by the Commission on or before the due date noted above to be taken into consideration in determining whether audit action will be initiated. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action. **Requests for extensions of time in which to respond will not be considered.**

BLAKEMAN 2014 INC.

Page 6 of 6

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended.

If you should have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1154.

Sincerely,

A handwritten signature in black ink that reads "Jill Sugarman". The signature is written in a cursive, flowing style.

Jill Sugarman  
Sr. Campaign Finance & Reviewing Analyst  
Reports Analysis Division

**Excessive, Prohibited, and Impermissible Contributions  
Blakeman 2014 Inc. (C00558189)**

**Excessive Contributions from Individuals**

<b>Contributor Name</b>	<b>Date</b>	<b>Amount</b>	<b>Election</b>
Califano, Frank Sr.	4/23/14	\$2,500.00	P2014
Califano, Frank Sr.	6/13/14	\$1,000.00	P2014
Cuchel, Stephen	6/2/14	\$250.00	P2014
Cuchel, Stephen	6/13/14	\$2,500.00	P2014
Davidson, Rick	6/6/14	\$5,000.00	P2014

**Contributions from Possible Prohibited Entities**

<b>Contributor Name</b>	<b>Date</b>	<b>Amount</b>	<b>Election</b>
Ryan Brennan & Donnelly	6/16/14	\$625.00	P2014

**Missing 48-Hour Notices**  
**Blakeman 2014 Inc. (C00558189)**

<b>Contributor Name</b>	<b>Date</b>	<b>Amount</b>	<b>Election</b>
Felton, Preston	6/6/14	\$1,000.00	P2014
Linksman, Gregory	6/6/14	\$1,000.00	P2014
Lupo, Paul	6/13/14	\$2,014.00	P2014

**Inadequate Employer/Occupation Entries**  
**Blakeman 2014 Inc. (C00558189)**

<b>Employer</b>	<b>Occupation</b>
3d Industrial	Requested
Business Owner	Jonathan Arnold
NYPD	Requested
Requested	Construction
Requested	Court Clerk
Requested	Money Manager
Requested	Office Manager
Requested	Requested
Self	Car Service
Self	Pharmacy
Self	Self
Self	Trucking Company